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12 Attorneys for Plaintiff

13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

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20 UNITED STATES OF AMERICA,) CR No. 08-0025 WHA
21 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
22) CONTINUING SENTENCING DATE
23 v.)
24 REMSEN BENEDICT,)
25 Defendant.)
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28 This matter is scheduled for Sentencing on Tuesday, May 19, 2009. As referenced in the
29 Stipulation and Order continuing sentencing upon request of the defendant (*ECF Docket No. 46*),
30 in aid of sentencing, the defense has obtained a psychological evaluation of the defendant.
31 Through no fault of defense counsel, this evaluation was completed later than anticipated and
32 was not able to be provided to government counsel until May 1, 2009. This evaluation contains
33 findings by a psychologist based, in part, on approximately 12 hours of interviews with the
34 defendant and the findings therein are based, in part, on psychological literature and a diagnostic
35 tool called the Psychopathy Checklist.

1 To properly prepare for sentencing, the United States will need to research the
 2 psychological literature and diagnostic tool used (Psychopathy Checklist) and likely retain an
 3 expert to explain and address this findings within the evaluation.

4 To afford counsel for the United States sufficient time to assess the findings within the
 5 defense evaluation and prepare its response, the parties request a continuance until June 23,
 6 2009. Although the parties seek to proceed expeditiously, counsel for the United States will be
 7 out of the District for training the week of May 25, 2009 and unavailable due to another training
 8 program on the week of June 1, 2009. Counsel for the defendant is unavailable on June 16,
 9 2009.

10 Probation Officer Sparks has advised that he is available on June 23, 2009.

11 SO STIPULATED:

12 JOSEPH P. RUSSONIELLO
 13 United States Attorney

14 DATED: May 7, 2009

15 /s/
 16 DENISE MARIE BARTON
 17 Assistant United States Attorney

18 DATED: May 7, 2009

19 /s/
 20 GEORGE C. BOISSEAU
 21 GEOFFREY DUNHAM
 22 Attorney for REMSEN BENEDICT

23 GOOD CAUSE APPEARING, it is hereby ordered that sentencing in this matter is continued
 24 from May 19, 2009 until June 23, 2009.

25 SO ORDERED.

26 DATED: May 8, 2009

